

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA
WILKES-BARRE DIVISION**

In re:)	
Juana Ortiz,)	Case No.: 5:22-bk-00155-MJC
Debtor.)	Chapter 13
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)	
Kingdom RCG Evergreen Fund Series I LLC,)	Trustee Jack N. Zaharopoulos
)	
Movant,)	
)	Jude Mark J. Conway
v.)	
)	
Juana Ortiz,)	
)	
Respondent.)	

**SECURED CREDITOR, KINGDOM RCG EVERGREEN FUND SERIES I LLC'S LIMITED
OBJECTION TO MOTION FOR SALE OF PROPERTY FREE AND CLEAR OF LIENS (620
PUTNAM ST., HAZLETON, PA) [DOC. NO. 79]**

COMES NOW, SECURED CREDITOR, Kingdom RCG Evergreen Fund Series I LLC (herein after referred to as "Secured Creditor"), by and through its undersigned counsel, and hereby files this Limited Objection to Motion for Sale of Property Free and Clear of Liens (620 Putnam St., Hazleton, PA) [Doc. No. 79], and states as grounds the following:

1. On or about January 28, 2022, the Debtor filed a Voluntary Petition under Chapter 13 of the Bankruptcy Code.
2. On or about March 24, 2025, the Debtor filed the instant motion for Sale of Property Free and Clear of Liens (620 Putnam St., Hazleton, PA) [Doc. No. 79] (the "Motion") to sell the property located at 620 N. Putnam St., West Hazleton, PA 18202 (the "Property"). According to the Motion, the Debtor has the Property under contract for a purchase price of \$240,000.00.
3. Secured Creditor holds a valid and perfected first mortgage on the Property executed on November 29, 2007 and recorded on December 4, 2007, as Instrument Number 5797804, in the Official Records of Luzerne County, Pennsylvania. For the reasons more fully stated herein, Secured Creditor hereby objects to the Motion.

4. Secured Creditor hereby files this limited objection to the Motion as it holds a valid and perfected first mortgage on the Property and must be fully paid off at closing, plus all additional interest, loan charges and advances, fees, etc.
5. Therefore, Secured Creditor does not object to the sale of the Property, so long as:
 - a. Secured Creditor's Claim is paid in full (including plus all additional interest, loan charges and advances, fees, etc.), pursuant to an updated payoff statement provided by Secured Creditor at the time of closing; and
 - b. Secured Creditor is not surcharged in any way with the costs of the sale, broker commissions, attorneys' fees or any other administrative claims, costs or expenses in connection with the sale of the Property.

WHEREFORE, PREMISES CONSIDERED, Secured Creditor respectfully requests that this Honorable Court deny the Motion unless the sale of the Property accounts for a full and complete payoff of Secured Creditor's claim, plus all additional interest, loan charges and advances, fees, etc., and for any other relief this Honorable Court deems Secured Creditor is entitled.

I HEREBY CERTIFY that a true and correct copy of the foregoing was provided via electronic and/or Regular U.S. Mail to the parties listed on the attached service list, on April 9, 2025.

I HEREBY CERTIFY that I am admitted to the Bar of the United States Bankruptcy Court for the Middle District of Pennsylvania, and I am in compliance with the additional qualifications to practice in this Court set forth in the Local Rules.

Signature: /s/ Jennie C. Shnayder
Jennie C. Shnayder, Esq., ID #315213
DWALDMANLAW, P.C.
4900 Carlisle Pike, #182
Mechanicsburg, PA 17050
Telephone: (844) 899-4162
Facsimile: (844) 882-4703
Email: jennie@dwaldmanlaw.com
Email 2: tiffany@dwaldmanlaw.com
Attorney for Secured Creditor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th Day of April 2025, I served a copy of the foregoing by regular U.S. Mail or the Court's CM/ECF system to the following parties listed on the below service list:

SERVICE LIST:

Debtor

Juana Ortiz
620 N. Putnam St.
West Hazleton, PA 18202

Tullio DeLuca
381 N. 9th Avenue
Scranton, PA 18504

Debtor(s) Attorney

Trustee

Jack N Zaharopoulos
Standing Chapter 13
(Trustee)
8125 Adams Drive, Suite A
Hummelstown, PA 17036

Asst. U.S. Trustee

United States Trustee
US Courthouse
1501 N. 6th St
Harrisburg, PA 17102

Signature: /s/ Jennie C. Shnayder
Jennie C. Shnayder, Esq., ID #315213
DWALDMANLAW, P.C.
4900 Carlisle Pike, #182
Mechanicsburg, PA 17050
Telephone: (844) 899-4162
Facsimile: (844) 882-4703
Email: jennie@dwaldmanlaw.com
Email 2: tiffany@dwaldmanlaw.com
Attorney for Secured Creditor